

Maine Revised Statutes

Title 12: CONSERVATION

Chapter 909: GENERAL OFFENSES HEADING: PL 2003, c. 414, Pt. A, §2 (new); Pt. D, §7 (aff); c. 614, §9 (aff)

§10652. ABUSE OF ANOTHER PERSON'S PROPERTY WHILE FISHING, HUNTING OR TRAPPING

1. Prohibitions. Prohibitions on the abuse of another person's property while fishing, hunting or trapping are as follows.

A. A person may not while fishing:

- (1) Tear down or destroy any fence or wall on another person's land;
- (2) Leave open any gate or bars on another person's land; or
- (3) Trample or destroy any crop on another person's land. [2003, c. 614, §9 (AFF); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 655, Pt. B, §68 (RPR).]

B. A person may not while hunting any wild animal or wild bird:

- (1) Damage or destroy a tree on another person's land by inserting into that tree any metallic or ceramic object to be used as, or as part of, a ladder or observation stand unless the person has the permission of the landowner;
- (2) Except as provided in this paragraph, erect or use either a portable or permanent ladder or observation stand on the land of another person unless:
 - (a) That person has obtained oral or written authorization to erect and use a ladder or observation stand from the landowner or the landowner's representative; and
 - (b) The ladder or observation stand is plainly labeled with a 2-inch by 4-inch tag identifying the name and address of the person or persons authorized by the landowner to use the stand or observation ladder.

This subparagraph does not apply to a portable ladder or observation stand that is located on land within the jurisdiction of the Maine Land Use Planning Commission and attended by the person who owns the ladder or observation stand. For purposes of this subparagraph, "observation stand" does not include a portable blind utilized at ground level that remains in the physical possession of the hunter;

- (3) Tear down or destroy any fence or wall on another person's land;
- (4) Leave open any gate or bars on another person's land; or
- (5) Trample or destroy any crop on another person's land. [2011, c. 253, §7 (AMD); 2011, c. 682, §38 (REV).]

C. A person may not while trapping a wild animal:

- (1) Tear down or destroy any fence or wall on another person's land;
- (2) Leave open any gate or bars on another person's land; or
- (3) Trample or destroy any crop on another person's land. [2003, c. 655, Pt. B, §68 (NEW); 2003, c. 655, Pt. B, §422 (AFF).]

Except as otherwise provided, a person may not possess any wild animal or wild bird taken by hunting or trapping in violation of this subsection.

[2011, c. 253, §7 (AMD); 2011, c. 682, §38 (REV).]

2. Penalty. A person who violates this section commits a Class E crime.

[2003, c. 655, Pt. B, §68 (NEW); 2003, c. 655, Pt. B, §422 (AFF) .]

SECTION HISTORY

2003, c. 414, §A2 (NEW). 2003, c. 414, §D7 (AFF). 2003, c. 614, §9 (AFF). 2003, c. 655, §B422 (AFF). 2003, c. 655, §B68 (RPR). 2011, c. 253, §7 (AMD). 2011, c. 682, §38 (REV).

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